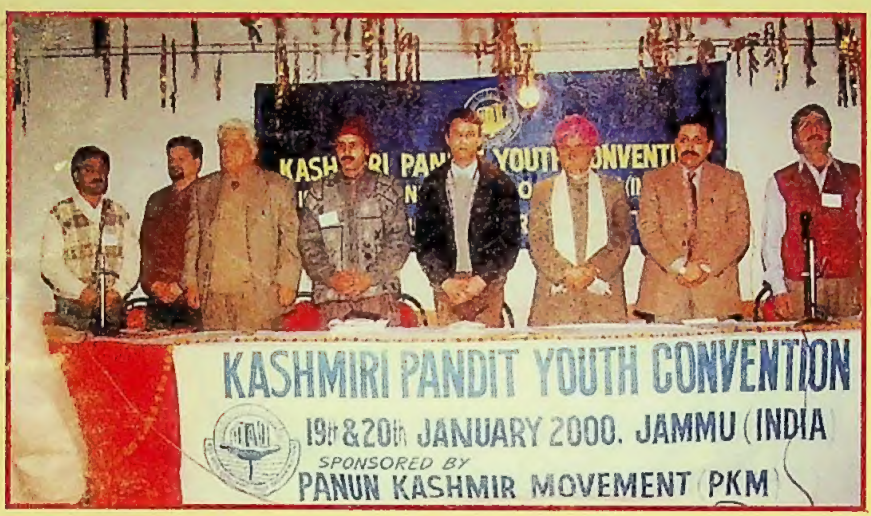
KASHMIRI PANDIT AGENDA

(After A Decade Of Exile)



PANUN KASHMIR MOVEMENT (PKM)

Central Camp Office,
Jammu (India)

KASHMIRI PANDIT YOUTH CONVENTION
(19-20 January 2000, Jammu-India)

A Report

Panun Kashmir Movement (PKM) sponsored Kashmiri Pandit Youth Convention (KPYC) was held at Jammu on 19th and 20th January 2000. It was the first Convention of its kind organised by any Kashmiri Pandit Organisation after exodus during exile. The need for holding such a convention was acutely felt for involving the youth who have grown up during exile and link them with our struggle for survival as a community and for seeking Homeland in Kashmir. It was attended by around 200 delegates from various parts of the country i.e. Delhi, Chandigarh, Pune, Sangli, Mumbai, Mysore, Gurgaon, Udhampur, Kathua and Jammu. One delegate from overseas also participated in the Convention.

The Convention was held at Gandhi Bhawan, Near Civil Sectt. Jammu. The Inaugural Session was held on 19th Jan. '2000 at 11.00 A.M. Air Vice Marshall (Retd.) Shri B.K. Challu from Gurgaon (Haryana) was the Chief Guest on the occasion. Shri Challu inaugurated the Convention by lighting the traditional lamp followed by Saraswati Vandana and Vande Matram by the 'Kashmir Kokila' Smt. Kailash Mehra. Dr. K.K. Bamzai, Vice Chairman, KPYC' Reception Committee welcomed the

participating delegates. Sh. Shivdass, General Secretary, Kashmiri Sahayak Samiti, Chandigarh was unanimously elected the Chairman of the two-days Convention. Sh. Ashwani.K.Chrungoo, President, PKM gave a detailed background in which the convention was organised. Sh. M.M. Khajuria, Ex-DGP of J&K State presided over the inaugural session and he in his speech referred to the disturbing security scenario of the J&K state having its bearing on the whole northern part of India. Shri Sanjay Raina, Coordinator of the Kashmiri Pandit Youth Convention managed the stage of the function.

The Inaugural Session was followed by lunch. After lunch, the delegates re-assembled in the spacious hall of Gandhi Bhawan for the Session on Social and Cultural Matters. This session was presided over by Shri Sunil Shakdhar, Vice President, Kashmiri Samiti, Delhi. Shri Shakdhar had to leave for Delhi by the next flight. In his address he said that the Homeland in Kashmir with Union Territory status was the only solution to all KP problems. The following Agenda Paper on Social & Cultural Matters was presented to the delegates. It was read over by Dr.Vijay Koul.

AGENDA PAPER

On Social And Cultural Matters

"The members of the Kashmiri Pandit Community have spent a precious decade of their lives in displacement and exile which began with their forced exodus brought about by the Islamic fundamentalist terrorists of Kashmir valley. The community has struggled through dispossession, deprivation and is divested of the enjoyment of rights. But they learnt to live with harsh and bitter situations of life in one room tenements with meagre sanitary and privacy facilities; educating their children in camp-schools and colleges with nominal educational infrastructural facilities; faced new and unknown diseases caused by emotional stress and harsh climatic conditions resulting in premature deaths of near and dear.

Having been uprooted and thrown out of their more than five thousand years old natural habitat, their youth has got scattered throughout the country in search of livelihood resulting in the break-up of families, social cohesion and traditions, beneficial rituals, customs, language etc. Despite these negative developments leaving adverse impact on community and individual life, at the end of a decade living in displacement and exile, the community got accustomed to this life and has achieved a 'stability in abnormality' and made short-term adjustments which actually cannot lead to true stability. The community is still passing through a state of flux standing on unstable ground. At the sametime it is a matter of gratification that the community used every nerve in sustaining through the period of great calamity and survived the multi-faced onslaught. It has exhibited great potential to face the most unfavourable situations.

Period of apparent stability

With no prospect of termination of exile being in sight and having become accustomed to live under the continued uncertain conditions for the last ten years, the members of the community have developed a false sense of stability and security by adopting an attitude of an ostrich ignoring the present day realities which do not allow them to comprehend the future dangers. The apparent stability is being eroded by the inherent social compulsions of the community. The community has not as yet given any serious thought to the social reconstruction to build composite potential to face adversities of future in the social, economic and cultural fields. This is not the period to keep oars at rest. This is the period to build the stamina equal to the unforeseen odds which future is bound to bring in.

The community's apparent stability has to face the outside challenges and competition. The final settlement of the Kashmir problem one way or the other shall break the apparent stability of the community again. No scientifically extensive response has been

built by the community to face that eventuality. There is already one genuine political response to this situation in the form of the Homeland resolution of December 1991. This is a recognized response to the political situation. The community because of its numerical deficiency and lack of vote-bank is not in a position to influence the national and international pressure in a big way. Apart from numerical constraint, the community is not economically strong to make manoeuvres to their advantage. The apparent stability will, therefore, again break under these pressures. There are many leaks and we need strenuous efforts to remove these inadequacies in order to build alternate options. This requires a colossal job of social reconstruction to suit the challenges of the uncertain future. Preparation to meet the ensuing demands have to be made now lest the community may be overrun by the tide of the uncontrollable events and get lost in the onslaught.

Need for vigilance

The community needs to be wide awake and make preparations from now to face the challenge of the coming changes which the future is bound to bring in. To make a permanent adjustment of the community to the ensuing change, least painful, calculated advance planning has to be made both at an individual and the community level. It requires reorganization, strengthening and making of new innovations in the existing social, economic life-style and outlook of the community.

Ingredients of social life

The main ingredients of the social life of the community are:

a) social discipline, b) culture and c) language.

a) SOCIAL DISCIPLINE

For maintaining social discipline, it is necessary to accept and adopt a way of life which is conducive to the social well

being of the community. It involves following a way of living which is acceptable and affordable by the maximum number of the members of the community. It requires sacrificing of individual vanity by those persons who are unfortunately the victims of this evil. A new system of values has to be set up which necessitates refining the sensitivity of the members of the community by encouraging responsible behaviour by the individuals that is conducive to and consistent with the social and family needs. The sensitivity of those persons who can afford vulgar exhibition of their wealth have to be restrained and sublimed by them through self-effort by diverting their wealth into more productive, useful and lasting ventures. By practising this attitude these individuals can expect better and lasting appreciation and recognition. Restraint on extravagance does not mean miserliness and moreso it never means non-performance of useful social, cultural or religious functions. It simply means elimination of waste, conspicuous and whimsical expenditure and vain display of wealth. More importantly it means performing social functions in a manner which is affordable by all the sections of community. Extravagance is a negative attempt to ridicule the weaker sections of the community. At present the community needs to conserve its resources at all levels to face uncertain future. Every family is deficient in its instruments to be equal to the coming changes because of explosion of knowledge and technology.

(i) Preparation to face future

In the age of globalization and competition, there is need for making continuous assessment of the availability of profitable vocations for the youth. The youth will have to prepare themselves for taking up the useful and more rewarding vocations. A vocational guidance bureau requires to be set up at the community level which will issue a bulletin on the availability of vocational opportunities after every four or six months in a year.

The youth has to acquire new skills to fit in and live in the fast changing world. They have to learn software, hardware,

electronic, computer, space engineering and internet technologies and equip themselves to face the age of information revolution. Every household should be well-equipped workshop to initiate the members of the family to adopt the most needed capabilities of modern times. Much can be learnt from the economic rehabilitation of Tibetans and also from Japanese mode of household production models. The community shall have to develop culture of work and optimum use of time.

Telephone has become an item of great use, necessity and a device for maintaining family unity and social cohesion. Possession of telephone has to be viewed as a time and money saving device by the Kashmiri Pandit families living in dispersed conditions in different urban areas.

Learning of driving vehicle by the youth has assumed importance in modern living conditions, especially when Kashmiri Pandit Community has been completely urbanized.

Kashmiri Pandit families should have sufficient know-how of administering first-aid in case of emergencies. They should possess first-aid kits.

Habit and culture of reading has to be cultivated and continued all along. Pandits should build home-libraries containing religious scriptures, prayer books, books on community history and traditions etc. to save themselves from the adverse effects of exile and dispersion. Besides to keep abreast with modern age it is necessary to have books like encyclopedia, dictionaries and atlas etc. in these libraries.

(ii) Social needs of community

Kashmiri Pandit community is short of big numbers and even under these conditions it was pioneer in adopting family planning methods. Considering the pressures developed by economic forces and the urge to bring up children with better

facilities, the wisdom of the community in accepting the small family norm cannot be questioned in this age. However, there are leakages which have adversely effected the community/family cohesion, compactness and purity especially while living in exile. Indiscipline is exhibited by the youth while contracting their marriages. No sane community can afford to allow their children to behave in an irresponsible manner while undergoing their studies or earning livelihood away from parental care. It is the responsibility of the youth to maintain community tradition of accepting and implementing parental suggestions in vital matters of contracting marriage. The youth has the responsibility of procreation of the family inheritors and a new generation capable enough to maintain noble family traditions and five thousand year old glorious community heritage of forbearance, diligence, honesty, scholarship etc. Marriage of a couple is expected to usher in harmony and pleasure in a family and not discard, bickering and cultural invasion. Before contracting marriage a Kashmiri Pandit youth should ask himself whether his decision of selection of a spouse satisfies the above objectives and then go head.

Family living has to be harmonious and pleasing. It has to be free of tension. It should generate affection of elders for their youngsters and the youngsters respect and care for their elders. Kashmiri Pandit families have working couples which leaves very little time for them to attend to their children and household work. In such families where there are elders they should share the family work to the extent it is convenient for them to do so, consistent with their health condition and age. It is the duty of every member of the family to make family life pleasant by word and deed. Every family member needs to cultivate pleasant temper and use sweet words.

The exile of the community has imposed on its members forced idleness which has given rise to wasting of time in idle gossip and other harmful pursuits. Time is precious. It should not be wasted but utilized for the betterment of the family by its members. Idlers should make it a point to find ways and means to earn something for the family. If they cannot do so, they should use their time for

some other constructive and productive purpose. Sloth and idleness breeds physical and mental illness. Idle man's brain is devil's workshop. So idleness should be banished by Kashmiri Pandits.

b) PRESERVING CULTURE IN EXILE

The vast Hindu Samaj is a grand flower bouquet containing a variety of fragrant flowers. Every flower has to bloom. Kashmiri Pandit community is an important blooming flower of this bouquet which has contributed to the grandeur of the Hindu Samaj over the last over five thousand years. Now living in exile and in dispossession and dispersion, the members of the community have to make serious and extra effort to keep this flower blooming and fragrant and protect it from withering away by the onslaught of the exile and dispersion. It is the responsibility of the youth to keep this flower alive by nourishing the community culture. The greatest cultural heritage of Kashmiri Pandit Community is Kashmir Shaiva, Trika and Advaita schools of philosophy. Some conscious community members have already established Ashrams where this ancient heritage of the community is studied and they are also bringing out periodical magazines to propagate various aspects of this philosophy. It is the duty of the youth to study this philosophy and make contribution to this treasure, if they can.

Kashmiri Pandit festivals and rituals are unique in character and are linked to various Tirtha Sthans of Kashmir and their environment from ancient times dating prior to Nilamata era. It is the responsibility of the youth to preserve, protect and promote these festivals and rituals while in exile. They should read the available literature explaining the significance and purpose of the same.

Cleanliness and living a healthy life are important aspects of Kashmiri Pandit cultural tradition. Performance of daily bath, pooja and yoga are also important aspects of living a clean and healthy life. Apart from the religious importance of the performance of these daily functions, their usefulness needs to

be appreciated in the context of living a healthy and clean life. 'CHUT and SHROOCH' is a concept vital for the maintenance of the sound health by the members of the community.

The observance of the festivals and rituals necessitates making extensive use of 'Kashmiri Janthri'. The birthdays should be observed in conformity with "Kashmiri Janthri" and not foreign calendar. Birthdays need to be celebrated in accordance with our tradition and calendar.

c) KASHMIRI LANGUAGE

The greatest victim of the exile and dispersal is Kashmiri language. Kashmiri Pandit children do not have favourable conditions to learn their mother-tongue in exile beyond the four walls of their houses. They are obliged to speak Hindi to interact with their teachers, class-fellows, playmates and their other surroundings. The language could have been kept alive under these circumstances by steady of Kashmiri literature. There is, therefore, need to publish select works of important personalities such as Parmanand, Arnimal, Krishanjoo Razdan, Prakashram Kurigami etc. in small booklets in Devanagri script for their use and reading at home by children. Most important mechanism and input for keeping the language alive is that parents should talk to their children in Kashmiri and make them to respond in Kashmiri. The tradition of singing Kashmiri folk songs and "Leelas" on pleasant occasions (Marriage and Yagneopavit etc.) should not only be continued but encouraged and improved as well. On marriages and other such occasions, the services of the community artists should be utilized in order to preserve, cultivate and promote taste for Kashmiri poetry, music, folklore and tradition. It will incidentally help the young artists to improve their art and take new strides in this field and shall also help in institutionalising their efforts.

From the forgoing, the honourable delegates to this Convention are requested to consider the issues raised and offer their valuable and meaningful opinion and proposals to evolve a comprehensive strategy to move ahead.

Thanks".

After a marathon debate for over four hours, which included the young participant delegates, the session constituted a Committee comprising of young delegates S/Sh. Shivdass from Chandigarh, Mrinal Koul from Jammu and Kumari Nimphia Dhar from Sangli to recommend the operative part for its adoption as a resolution. S/Shri Bansi Lal Koul and Krishen Ji Langoo were requested by the delegates to guide the Committee in finalising its recommendations. At the end of the session and consequent upon the recommendations made by the Committee constituted for the purpose, the following resolution was adopted unanimously by the delegates:-

"The Kashmiri Pandit Youth Convention, therefore resolves to :-

i) appeal the Kashmiri Pandit Community to accept and implement the suggestions and recommendations made in the Agenda Paper on Social and Cultural Matters;

ii) call upon the sponsors of the Convention (PKM) to organise a Kashmir Heritage Festival at Jammu during the year 2000; and

iii) request the Chairman of the Convention (Sh. Shivdass of Chandigarh) to take steps for holding a series of Zonal Youth Conventions as a follow-up action during the year 2000."

With this positive note the first day of the Convention concluded. Shri Sanjay Raina, Coordinator, KPYC made a request to the honourable delegates to reassemble for the next session on 20th Jan. '2000 at 11.A.M. He also later in the evening conducted a meeting of the activists of PKM to take stock of the whole situation and instructed the activists to make it certain that the delegates reach the venue of the convention on the next day well before 11 A.M.

On 20th Jan. '2000, the delegates reassembled at the Gandhi

Bhawan for the Session on Political Affairs. The session was presided over by Sh. Bansi Lal Koul, Sr. Vice President of PKM. He was flanked by S/Shri. Shivdass and Sanjay Raina on the stage. Dr. Vijay Koul presented the following Resolution on Political Affairs.

POLITICAL RESOLUTION

"To-day the 20th January, 2000, this Kashmiri Pandit Youth Convention is meeting to remind the Indian nation and the international community, that Kashmiri Pandit community has spent a decade of living in exile, dispossession and deprivation. The period of ten years is a sufficient long portion of human life, quite enough to generate new and more complex problems for a community that has been forced to live in a state of uncertainty and suspense. It is the appropriate time for the community to assess the situation afresh to chart out the future course of action.

2. In December 1991, on the basis of their historical experience of living in Kashmir ever since political power passed into the hands of the Muslim rulers in first quarter of fourteenth century to 1989-90, when the Islamic fundamentalists of Kashmir resorted to genocide of Pandits in the valley forcing their exodus, ethnic cleansing and exile, Margdarshan Resolution of 1991 was passed to demand a separate homeland for the community in Kashmir with a Union Territory status where the Indian constitution would be applied in letter and spirit to enable them to return and resettle in Kashmir. The basic reason behind exodus was the exclusion of Pandits from all spheres in the valley and rejection of co-existence by the Muslim majority community in Kashmir. After their exile, the government has been repeatedly announcing that Kashmiri Pandits will return to valley with honour and dignity. But in practice the government is undermining the chances of return of Pandits to Kashmir. The government has allowed the burning of all the bridges for the community to cross over and reach the homeland. The community belongs to Kashmir

and yearns to settle in Kashmir with security and respect. They have not to go there as an alien, non-resident visitor or as a pilgrim. They have to go there to resettle and live normal life as sons of soil. But all the possibilities of resettlement of community in Kashmir have been blocked. The economic, social and political links of the future generation of Pandits have been deliberately severed with Kashmir by indifference bordering on negative attitude of the government. Rules and regulations have been manoeuvred in such a way to force Kashmiri Pandit youths to leave the state and disperse in the process of fending for themselves. The younger generation of Pandits is no more linked with any vocation private or public in Kashmir. Normally it should have been the determined endeavour of the government to link and connect the community with Kashmir by taking economic and political initiatives, if not special drives. The sending of Kashmiri Pandit groups to Kashmir for a couple of days from time to time or asking Kashmiri Pandit community to depend on the goodwill of the indifferent majority community of Kashmir has been counter-productive as no positive results have been noticed in consequence of these activities. These hollow deceptive actions have only confirmed the community thinking that the Muslim majority community of Kashmir would like Pandits coming to Kashmir only as visitors and not as permanent normal residents and citizens. During the last decade, Kashmir has been fully turned into Islamised fundamentalist territory with a theocratic style of functioning. The loot, burning, usurpation and purchase of Kashmiri Pandit properties through distress-sale and the massacres of the left-out innocent Pandits at Sangrampora and Wandhama are notorious examples of fundamentalist culture of intolerance.

3. The government wants return of Kashmiri Pandits for giving an accommodative face-lift to the Islamized Kashmir and not for restoring the right of Kashmiri Pandits to live in their birthplace and traditional habitat by undoing the wrongs inflicted on them. The eight hundred years experience of Pandits is quite

distressing as they were compelled to leave Kashmir on several occasions in the past. Simply by forcing return of Kashmiri Pandits to valley, by making them to lead a life of internee there, the Islamic fundamentalist culture that has engulfed the valley cannot be humanized. The living of Pandits in the valley for the last eight hundred years failed to soften the determination of Muslim fundamentalists in the valley. Nor is the grant of greater autonomy any solution to this problem. On the other hand it would only prove to be a constitutional method for smoothening way for ultimate cessation of the state. The so-called grant of internal autonomy proposal worked out by the main political structure of Kashmir is nothing but a conscious attempt to further strengthen and expand the Islamic fundamentalist culture even over those areas of the state which are comparatively not so much involved by this malignance. The disease is deep rooted that need to be treated carefully with compassion and statesmanship.

4. After adoption of Margdarshan resolution of December 1991 all that happened confirms the conviction that Kashmiri Pandits can return and live in Kashmir only if a separate homeland with conditions of free flow of Indian constitution with the status of a Union Territory and creation of necessary infrastructure to guarantee their economic, social, cultural and political rights for their permanent settlement on lasting basis are made. This is the lesson which history teaches the community and the developments of the last decade confirm it.

5. The community faced the strain of displacement, dispossession and dispersal caused by refugee life and has treated it as a stop-gap phase which should have lasted only for a brief period. Unfortunately this stop-gap phase has assumed a different nature because of the constraints created by time factor forcing the community to go in far various types of temporary adjustments for survival. The period of ten years of exile is a sufficient long portion of human life enough for giving rise to the new problems. The community cannot bear any longer suspension of fundamental

and other rights. Presently the community stands like a crowd o people deprived of their rights. The snatched away rights of the community are:-

i) the right to live in its own homeland:

ii) the right to work as a human instinctive need. Unsound reasons are advanced for this gross neglect:

iii) the right to improvement and development of human faculty as professionals and men of different vocations has been denied, in as much as, that working class of the community is suffering stagnation. It is there where it was in 1989-90. The sections of the community who were engaged in trade and agriculture have been rendered idle and are left without any income. The displacement has ruined their pursuits and vocations. Besides they have lost capital and are rendered helpless;

iv) the right of younger generations. It has been precariously subjected to prejudice, apartheid and inequal opportunity;

v) the right of economic stability and progress. The continued uncertainty about permanent settlement has made the community indecisive to take ventures in economic field and opportunity.

vi) the right to hold property and derive income therefrom. For the last ten years the government has not evolved any mechanism to ensure that the members of the community could receive income from their income-yielding properties in Kashmir like commercial establishments, agriculture land, orchards and other buildings;

vii) the political right. Four elections including state legislature and parliament have been held during the last decade. The community never got an opportunity to participate in these

elections as is envisaged by the constitution. The abject conditions of the state and then the procrastinating procedure prescribed by the authorities never allowed the community to cast vote in accordance with the voice of their conscience. The opportunities for contesting the elections by the community were made bleak tantamounting to denial of this right. The absence of the community representatives in the elected bodies has strangled the political aspirations of the community. Unfortunately, public opinion did not get roused to mobilize the constitutionally available alternatives to overcome this peculiar stringency.

6. It is now very hard for the community to continue to drag on life without the enjoyment of these rights in this stop-gap arrangement which is continuously lengthening. The deprivation of rights of the community must therefore end.

7. Now, therefore, this Kashmiri Pandit Youth Convention resolves to:-

i) Reiterate the demand for homeland made in the Margdarshan Resolution of 1991 and calls upon the youth of the community to take all the necessary steps to upkeep the advancement of the whole movement connected with the resolve,

ii) Demand the restoration of the fundamental and human rights (as already listed) of the Kashmiri Pandit Community while in exile".

The resolution invited heated debate and in particular the delegates from Schools, Colleges, University and the Camps took leading role in the discussion. Shri Ashwani.K.Chrungoo, President, PKM gave a detailed account of the genesis of the displacement of Kashmiri Pandit community from Kashmir. In the end, the resolution was adopted unanimously by the session.

With this, Shri Sanjay Raina requested Sh. B.L. Koul who

was in the Chair to deliver his presidential address. Sh. Koul in his brief address thanked the delegates for their role during the debate and appealed to them to physically associate themselves with the movement. It was time for lunch now, the delegates were informed that the 'open session' of the convention would begin at 3.30 P.M.

At exactly 3.30 P.M. the Open Session of the Kashmiri Pandit Youth Convention in the jam-packed hall of Gandhi Bhawan was inaugurated by Shri B.K. Challu by lighting the lamp before the portrait of Mata Saraswati. The Session was attended by about 400 people. On the dais were, S/Shri A.N. Vaishnavi, Chairman, Kashmiri Pandit Political Steering Committee, Dr. K.K. Bamzai, Vice Chairman, Reception Committee, Dr. Jitendra Singh, a noted Diabetologist and author/columnist, B.K. Challu, Shivdass, Ashwani.K.Chrungoo and Sanjay Raina. The youngest delegate of the Convention, a 12th standard student based at Jammu, Sh. Mrinal Koul 'Martand' presided over the 'open session' of the Convention. Dr. K.K. Bamzai presented the welcome address on behalf of Prof Ashok Aima, Chairman, Reception Committee, who could not attend the session due to sudden & disturbing health condition of his father-in-law. Shri Shivdass presented a Status Paper on Human Rights Project which is as follows:-

Human Rights Project

Status Paper

"Panun Kashmir Movement (PKM) filed a complaint before the National Human Rights Commission (NHRC) on 7th March 1994 which was followed by submission of a series of documents, reports and records. The Commission initially held a wide range of meetings with PKM and later on referred the matter to the Commission's Court. PKM in its complaint asked NHRC to:-

(a) enquire into genocide, exodus and apartheid

of the Kashmiri Hindu Community,

(b) consider to fix a time-frame for finalisation of its findings/report,

(c) fix up responsibilities in regard to human rights violations committed against us and review the factors that inhibit to enjoy the human rights and

(d) recommend appropriate remedial measures to redress the wrongs and humiliations suffered by the Kashmiri Hindu community.

The National Human Rights Commission while passing orders on the complaint of Panun Kashmir Movement (PKM) upheld:-

(i) That Commission's jurisdiction extends over Jammu and Kashmir state and set aside objections of the state government and

(ii) That the Protection of Human Rights Act 1993 is comprehensive enough to bring within its ambit the Convention on Protection and Punishment of crime of genocide.

The main findings and recommendations of the Commission are:

FINDINGS:

(i) There is no doubt to the immense suffering caused to Kashmiri Pandit community by the acts of terrorists and militants;

(ii) The facts are beyond question stark and tragic;

(iii) Kashmiri Pandits had to leave the valley for reasons of terror unleashed in their home state and the conditions of insecurity they faced;

(iv) The crimes committed against Kashmiri Pandits are by any yardstick deserving of strongest condemnation and there can be no gain saying the acute sufferings and deprivations caused to the community.

(v) Acts akin to genocide have occurred in respect of Kashmiri Pandits;

(vi) Indeed, in the minds and utterances of some of the militants a genocide type design may exist;

(vii) 'The crimes against Kashmiri Pandits, grave as they undoubtedly are', the Commission did not agree to treat it as 'ultimate crime of genocide';

(viii) The Kashmiri Pandit community is deep in resilience and talent and those who have caused it injury have not succeeded in the destruction of the group as a 'viable entity';

(ix) Regrettably, there can be no doubt that the community has felt that it has not been given the understanding and relief that it deserved and to which it is entitled. The Commission has empathy for this feeling.

RECOMMENDATIONS:

(i) The Commission nevertheless urges both the state and union governments to enhance their efforts to provide the Pandits with understanding and assistance they require in these difficult days;

(ii) The establishment of the high level committee, which includes a nominee of the Commission, to go into full range of practical problems facing the Pandits;

(iii) The Commission looks forward to receiving periodic reports on work of the committee;

(iv) The Commission proposes to monitor developments in regard to the Pandits on regular basis, not least in relation to the proper listing and protection of the properties left behind, the restoration of those properties and statutory nullification of coerced alienation and dispossessions and illegal occupations. The Commission understands the reasons in the prayer of the complainants that an enquiry be held into the causes and circumstances leading to their present sufferings. In this connection, the Commission is always ready and willing to examine and take action upon complaints relating to specific matters, as and when these are brought before the Commission.

The Commission has conclusively established: that the Pandits were forced out of the valley due to terror unleashed against them: that the facts are beyond question stark and tragic: that acute sufferings and deprivation caused to the community cannot be contradicted and that the crimes against the community deserve strongest condemnation. The findings of the Commiss on give a lie to the disinformation campaign launched against the community by the terrorists and their sympathizers.

The Commission's observations that **acts akin to genocide** have occurred in respect of Kashmiri Pandits and that in the minds and utterances of some militants **'a genocide type design may exist'** means that Pandit community has been victim of any or all of the following acts:-

(i) killing members of the group:

(ii) causing serious bodily or mental harm to members of the group:

(iii) deliberately inflicting on the group conditions of

life calculated to bring about its physical destruction in the whole or in part and

(iv) imposing measures intended to prevent births within the group.

However, for some reasons the Commission did not treat these occurrences as 'ultimate crime of genocide'.

The Commission has expressed empathy with the feeling of Pandits that they have not been given the understanding and relief that they deserved. In spite of these observations, the Commission has not recommended guidelines for guidance of the authorities for redressing the distress of the community. There are several past precedents where the Commission has made concrete proposals for providing relief and compensation for the losses suffered by the victims. But in the case of Kashmiri Pandits they have left this vital aspect untouched and instead urged the state and union governments to provide the community with assistance and understanding.

The Commission's recommendations for the establishment of high level committee has not become functional due to apathy and indifference of the authorities towards Pandit community. The delay in solving humanitarian problems of the community has added to the woes of its members and hastens the dilution of community compactness. The decade long dispossession and uncertainty has further complicated the already complex problems of the community. The community is engaged in an uphill task to maintain its identity and social cohesion.

Now, therefore, this Kashmiri Pandit Youth Convention demands that:

1) The National Human Rights Commission be apprised about the non-seriousness and failure of the state government to solve the humanitarian problems of the

community;

2) The Commission be requested to suggest guidelines for redressing the misery of the community for guidance of the government and save the identity of the community which is in the process of being wiped out due to ever lengthening displacement, dispossession and uncertainty;

3) The Panun Kashmir Movement (PKM) should pursue the case at NHRC with full vigour and community support to take it to the logical conclusion in view of the disproportionately meagre redressal measures".

Dr. Jitendra Singh in his address said that the diabetes among the displaced KPs was triggered due to "overwhelming stress factor" and now another factor has been added to it which is the "ethnic dilution" of the community and gradual erosion of its original cultural habits, life style, eating habits and alien environment.

Sh. A.N. Vaishnavi in his address gave an account of the expansionist plan of the Pan-Islamic fundamentalist forces in northern India. He warned that if Kashmir cannot be saved today, we cannot protect Delhi tomorrow. He also criticized the government both central and state for ignoring the problems of K.P. community in the last ten years of exile. After his address, Shri Piaray Hatash gave a brief to the audience regarding late Shri Moti Lal Saqi poet and author. At this occasion Shri Saqi was honoured posthumously. His wife Smt. Parmeshwari Saqi received the shawl from Sh. B.K. Challu. Sh. K.K. Hakku, a well known sportsman and sports administrator was also honoured. His son Sh. Ajeet Hakku was presented a shawl by Sh. Challu.

It was time now for presenting honours posthumously to the martyrs from the Kashmiri Pandit Community. The honours were presented by Major General B.N.Dhar to Major Susheel Aima, who attained martyrdom in Poonch area while fighting against the

terrorists. Lt. Amit Koul who fought in Kargil sector and sacrificed his life and SOG commando Suraj Bhan who fought gallantly in Ganderbal area (Kashmir) against the terrorists and attained martyrdom. These awards were received by their close relatives in an atmosphere of deafening standing ovation. A one-minute silence was observed in their honour. Shri Kamlesh Handoo, a talented young artist recited "Aey Mere Wattan Ke Logo Zara Yaad Karo Kurbani .....".

It was followed by the concluding remarks of Sh. Ashwani.K.Chrungoo, President, PKM. He in his address asked the members of the community to associate themselves with the affairs of the community. He pleaded for physical and financial support. He expressed confidence that the shades of gloom will be over and the sun of hope and confidence will dawn upon. He asked the youth to attune themselves to the new trends and simultaneously maintain the homogeneity and compactness of the Kashmiri Pandit community. He also laid his stress for observance of national duties and responsibilities.

The presidential address by Sh. Mrinal Koul 'Martand' was followed by a vote of thanks by Shri B.K. Challu. Sh.Challu in his address expressed thanks to the management of Gandhi Bhawan, the media, Department of Police and the participants in the programme. He expressed his gratitude to all those persons and institutions who were instrumental in making the Convention a grand success despite heavy odds. He also felt grateful to the **'Mata Sharika'** for the choicest blessings that were showered on the Convention by Her. With this the 'open session' came to an end and was immediately followed by a cultural programme.

The cultural programme was jointly organised and presented by S/Shri T.K. Jalali and Krishen Ji Langoo. Shri Pradiman Krishen Bhan compared the programme. Well known artists like Smt Kailash Mehra, Smt Kiran Koul,

S/Shri Vijay Malla. Inder Ji and his team and Kamlesh Handoo kept the whole audience spell-bound. Shri Anil Koul on Tabla. Shri Kuldeep Saproo on Synthesizer. Shri Darbari lal on Dolak and Shri Rakesh Anand on flute performed their art to enable the renowned vocalists to present their talent. At the conclusion of the cultural programme , the artists and the organisers of the cultural programme were honoured by S/Shri Ashwani.K.Chrungoo and Shivdass. Shri Gokul Dembi a prominent artist was also presented the honours for his philosophic & artistic creation of the PKM logo.

In the end, Shri Radha Krishen Bhat, a senior activist of PKM was presented a shawl by the President of PKM for his undiluted dedication and contribution to the cause of Panun Kashmir Movement (PKM) and Kashmiri Pandit Youth Convention. At this stage, Shri Sanjay Raina, Coordinator. KPYC thanked all the participants and declared the Convention closed.

Follow-up action

Immediately after the Convention and consequent upon the decisions taken in the Convention, Panun Kashmir Movement (PKM) convened a meeting of its activists at Jammu. The meeting resolved to give a practical shape to the operative part of all the papers, resolutions and other documents of the Convention and as a follow-up action, the rank and file of the organisation was asked to gear up for successful conduct of Zonal Youth Conventions, Sub-Zonal Youth Conventions, Kashmir Heritage Festival (DEVAI), Human Rights project and public contact drive for taking the message of the Convention to the members of the community.

We lastly appeal to the members of the Kashmiri Pandit Community and the nationalist forces to lend their support to Panun Kashmir Movement (PKM) enabling it to pursue the mission it has gladly accepted to accomplish. We all have a role in the on-going struggle and associating ourselves with the movement

will be implementing the essence of the Kashmiri Pandit Youth Convention.

Thanks and Namaskar.

❑

March, 2000
Jammu

The Kashmiri Pandit Martyrs who were honoured (posthumously) in the

Kashmiri Pandit Youth Convention

(19-20 January, 2000-Jammu; India)

Major Susheel Aima

Lt. Amit Kaul

SOG Commando Suraj Bhan

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